

**To:** Yeh, Alice[Yeh.Alice@epa.gov]; Larry Silver[lsilver@lssh-law.com]  
**Cc:** Zizila, Frances[Zizila.Frances@epa.gov]; Flanagan, Sarah[Flanagan.Sarah@epa.gov]; Wilson, Eric[Wilson.EricJ@epa.gov]  
**From:** Fajardo, Juan  
**Sent:** Mon 6/5/2017 12:27:38 PM  
**Subject:** RE: Diamond Alkali Superfund OU-2 Cash out Offers

Oxy has made a formal written request that we remove Alcan. I think we will need to address this. Anyway, if we do remove Alcan (which I have no reason to think we will), we should do it sooner rather than later.

**From:** Yeh, Alice  
**Sent:** Monday, June 05, 2017 8:23 AM  
**To:** Fajardo, Juan <Fajardo.Juan@epa.gov>; Larry Silver <lsilver@lssh-law.com>  
**Cc:** Zizila, Frances <Zizila.Frances@epa.gov>; Flanagan, Sarah <Flanagan.Sarah@epa.gov>; Wilson, Eric <Wilson.EricJ@epa.gov>  
**Subject:** RE: Diamond Alkali Superfund OU-2 Cash out Offers

Are we going to meet/have a call with everyone who submits a comment on the cash out candidates? Shouldn't we just tell them to submit their evidence and we will evaluate it along with everything else we receive?

Or are we meeting with Oxy as a special case, because they are doing the lower 8.3 mi RD?

**From:** Fajardo, Juan  
**Sent:** Monday, June 05, 2017 8:18 AM  
**To:** Larry Silver <lsilver@lssh-law.com>  
**Cc:** Zizila, Frances <Zizila.Frances@epa.gov>; Flanagan, Sarah <Flanagan.Sarah@epa.gov>; Wilson, Eric <Wilson.EricJ@epa.gov>; Yeh, Alice <Yeh.Alice@epa.gov>  
**Subject:** RE: Diamond Alkali Superfund OU-2 Cash out Offers

I assume a conf. call will do.

Representatives for Oxy? On the 2<sup>nd</sup> issue, would a call with ORC do (we thought we were on

the same page)?

**From:** Larry Silver [<mailto:lsilver@lssh-law.com>]  
**Sent:** Monday, June 05, 2017 8:03 AM  
**To:** Wilson, Eric <[Wilson.EricJ@epa.gov](mailto:Wilson.EricJ@epa.gov)>  
**Cc:** Zizila, Frances <[Zizila.Frances@epa.gov](mailto:Zizila.Frances@epa.gov)>; Fajardo, Juan <[Fajardo.Juan@epa.gov](mailto:Fajardo.Juan@epa.gov)>;  
Flanagan, Sarah <[Flanagan.Sarah@epa.gov](mailto:Flanagan.Sarah@epa.gov)>  
**Subject:** Diamond Alkali Superfund OU-2 Cash out Offers

Dear Mr. Wilson,

I represent Occidental Chemical Corporation with regard to the Diamond Alkali Superfund Site.

Please see the attached letter regarding Region 2's cash-out proposal for Operable Unit 2 of the Site. We would like to arrange a meeting with you to discuss Occidental's concerns with the cash-out, as expressed in the letter.

In the proposed meeting, we would also like to address an issue that has arisen with regard to a September 28, 2016 letter to Occidental (attached) that accompanied the final draft of the ASAO for Remedial Design for OU-2. An issue has been raised by Region 2 with regard to the application of the letter to proceeds from the Maxus bankruptcy. It would be convenient if both issues could be addressed at the same meeting.

Looking forward to discussing these issues.

Regards,

Larry

Larry Silver

[lsilver@lssh-law.com](mailto:lsilver@lssh-law.com)

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